

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Rose Mofford, Governor
Ronald Miller, Acting Director

RULEMAKING PROPOSAL CONCEPT PAPER CONTROLS FOR AREA SOURCES

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JUL 05 1996

PARTICULATES

The Department of Environmental Quality recognizes that area (non-point) sources are a major contributor to ambient particulate concentrations. Current state rules (Title 18, Chapter 2, Article 4) govern control of emissions from open burning; forestry management; construction sites; mine tailings; agricultural lands; open areas, riverbeds and dry washes; roadways and streets; and storage piles.

The air quality rules regarding open areas and construction sites, unpaved roads, mineral tailings, storage piles, materials handling, and agricultural practices are ambiguous and lack specificity for air pollution control. The Department suggests the following regulatory approaches:

Construction Sites and Open Areas

Particulate matter from construction sites can create excessive emissions which violate health standards. Further, blowing dust near roadways creates a safety hazard by impairing visibility.

Vacant lands should be either treated or maintained with enough vegetative cover to minimize windblown dust. Vegetation should not be brushed, bladed or cleared more than thirty (30) days before commencement of construction. The Department will develop rules that mandate prior notice to the Department of construction schedules. The proposed rule will also address land use development strategies, planning pertaining to the primary phase of construction, road paving, drainage control to reduce or eliminate the transport of soil off-site and onto paved roads, and

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minimizing particulate pollution on the actual construction site. Controls imposed in following phases of construction should include a requirement that buffer zones or physical barriers be in place between the construction and existing residences or public areas, if feasible.

Mine Tailings

The purpose of this rule is to minimize the contributions of inactive tailings to ambient particulate levels upon closure of the tailings pile. The closure of a tailings pile or portion thereof will be considered permanent after it has been inactive for three years (which is consistent with draft aquifer protection permit rules). The facility will be required to submit a closure plan for the tailings, including:

- What method of particulate control will be employed and its effectiveness for each tailings pile;
- A schedule for and description of how the control method will be implemented (e.g. sliming or watering regimes; what vegetative cover will be used and how it will be maintained); and
- How the area will be secured to prevent damage from recreational or other use that may reduce the effectiveness of the control program.

The owner of the mining operation may be required to post a performance bond, at the beginning of the application process for a new source, or six months after the effective date of the rule for existing sources. The bond will be calculated based on the estimated cost for treating and maintaining the tailings when the mining site is no longer operational.

Agricultural Lands

The Department intends to develop rules requiring closure plans for agricultural lands (i.e. abandoned farms as defined pursuant to United States Department of Agriculture guidelines). The proposed rule will be applicable to farmlands that are demonstrably causing ambient particulate violations, and not subject to the U.S.D.A. guidelines.

Unpaved Roads

The Department is considering developing a rule that will require appropriate jurisdictions to follow a schedule of particulate reducing measures including road maintenance, use of dust suppressants and paving, based on the amount of traffic on the road, and the potential to cause or contribute to violations of State ambient air quality standards for particulates. Research is being conducted to determine emission factors and thresholds which will support the specific requirements for particulate control methods.

Storage Piles and Materials Handling

The Department will provide more specific standards detailing strategies named in the rules pertaining to these two sources of particulate pollution.

The Department is receiving information regarding innovative control strategies employed in other parts of the country. This information will be presented at the workshop.

VOLATILE ORGANIC COMPOUNDS

The Department will be proposing rules requiring "Stage II Vapor Recovery" systems in ozone nonattainment areas. Stage II vapor recovery is a system that collects fumes that exit gas tanks during fueling of automobiles. California and Washington, D.C. have several years of experience with this control strategy, and it has been demonstrated to be effective. In addition, the technology for Stage II vapor recovery has advanced over the past few years, improving vapor recovery efficiency and making refueling with Stage II equipment no different than it would be without it. Recent estimates indicate that this regulation may add between one half and one cent to the price of a gallon of gasoline.